

AL COMMISSION



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CALIFORNIA
COASTAL COMMISSION

September 26, 1985

Mr. Don Wildman
27910 Pacific Coast Highway
Malibu, CA 90265

RE: 27910 Pacific Coast Highway, Malibu and Coastal Development
Permits No. P-78-2707, 5-81-44A and 5-81-35

Dear Mr. Wildman:

Since you are the successor-in-interest and current owner of record of the property on which the vertical access and public parking easements are located, I would like to present a brief summary of past permit actions taken by the Coastal Commission regarding your property.

The Vertical Access Easement: The former owners of the property, Kenneth R. Chiate, Jeannette Chiate, Dr. Roger S. Wolk, and Marilyn Wolk made an Offer to Dedicate a public pedestrian access easement, dated December 11, 1981, and recorded January 26, 1983, as Instrument No. 83-108579 in the Recorder's Office of Los Angeles County, as a condition to receiving Coastal Permit No. P-78-2707 to subdivide 5.3 acres into two parcels at 27900 Pacific Coast Highway. The Permit was later amended by No. 5-81-44A to relocate the vertical access easement to 27910 Pacific Coast Highway. The California Coastal Conservancy accepted this offer to dedicate on January 28, 1983, and recorded on April 5, 1983, as Instrument No. 83-374575. On June 8, 1985, at the Conservancy's request, Coastal Commission enforcement staff inspected the property and informed the Conservancy on June 10, 1985, that a fence and landscaping had been placed across a portion of the easement. This encroachment on and obstruction of the vertical access easement effectively blocks public access and is, therefore, a violation of Permit No. P-78-2707 and No. 5-81-44A.

The Public Parking Easement: The former owners of the property, Kenneth R. Chiate, et al. made an offer to dedicate a public parking easement, dated December 11, 1981, and recorded on January 26, 1983, as Instrument No. 83-108580 as a condition to receiving Coastal Permit No. 5-81-35 to construct a single family dwelling, pool and tennis court on the 2.7-acre parcel. According to the Coastal Conservancy and the Commission's legal staff in San Francisco, you are the successor in interest and owner of record of this property. The Board of the State

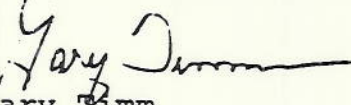
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Coastal Conservancy voted to accept the Offer to Dedicate the public parking easement on June 11, 1982. Subsequently, Conservancy staff was informed by Mr. Chiate that a driveway had been built over the site of the proposed parking easement. Again at the Conservancy's request, Coastal Commission enforcement staff inspected the site in June 1985, and verified the encroachment on and obstruction of the proposed parking easement by a driveway, fence and landscaping which violates the terms and conditions of Permit No. 5-81-35.

Please be advised that development without a Coastal Permit or development not in compliance with the project description or special conditions of a Coastal Permit is a violation of the Coastal Act of 1976 and subject to a fine, not to exceed \$10,000. Receipt of this letter constitutes notice of violation of the Coastal Act and failure to comply with the Permit terms may result in additional penalties for a knowing and intentional violation of up to \$5,000 for each day that the violation continues.

Currently, you have a Coastal Permit action pending before the Commission for an addition to your residence. Due to the existing violations, as explained above, we cannot recommend approval of this permit without a special condition requiring you to remove the obstructions and open the vertical and public parking easements required by past permit actions on your property. If you have any questions concerning this matter, please contact myself at (213) 590-5071 or Nancy Cave, Statewide Enforcement Coordinator, in San Francisco, at (415) 543-8555.

Very truly yours,



Gary Timm
Coastal Program Analyst

GT:do

cc: Nancy Cave ✓
Judi Allen